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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

## SECOND STIPULATED REQUEST FOR ORDER CHANGING TIME TO RESPOND TO PLAINTIFFS' COMPLAINT AND TO MODIFY BRIEFING SCHEDULE

1 Pursuant to Civil Local Rules 6-1(b) and 6-2 of the Northern District of California,  
2 defendants the Presidio Trust and the U.S. Equal Employment Opportunity Commission  
3 (collectively, “defendants”), by and through their respective counsel, and with the consent of  
4 plaintiff Patricia Jordan (“plaintiff”), respectfully submit this stipulated request to: (1) extend the  
5 time for defendant to respond to plaintiffs’ Complaint, and (2) modify the briefing schedule for  
6 defendants’ anticipated motion to dismiss as follows, as follows:

7 1. Defendants intend to respond to plaintiff’s Complaint by filing a motion to  
8 dismiss. Under the current schedule, defendants’ response (motion) is due on September 26,  
9 2016; plaintiff’s opposition to the motion is due on November 4; and defendants’ reply is due on  
10 November 17. Defendants request an adjustment of three-business days for each deadline, such  
11 that defendants’ response (motion) would be due on September 29; plaintiff’s opposition to the  
12 motion due would be due on November 9; and defendants’ reply would be due on November 22.

13 2. Defendants represent that the additional time is needed to allow the multiple  
14 federal agencies reviewing defendants’ draft brief to complete their review process to finalize the  
15 motion to dismiss, and because defendants’ undersigned counsel was out of work on  
16 unanticipated sick leave on Friday, September 23, and Monday, September 26.

17 3. The requested modification will alter the briefing schedule set by the Court for  
18 defendants’ anticipated motion to dismiss. Two prior extensions of time have previously been  
19 requested and granted; on August 30, 2016, the Court granted defendants’ request to extend the  
20 deadline for responding to the Complaint, *see* ECF No. 30, and on September 22, the Court  
21 granted the parties’ stipulated request to modify the briefing schedule, *see* ECF No. 35.  
22 Defendants do not anticipate seeking any further extensions of the deadline for filing the motion  
23 to dismiss.

24 4. The requested time modification will not alter any other event or deadline. The  
25 next case management conference in this case is scheduled for November 29, 2016 at 1:30pm.

26 IT IS SO STIPULATED AND REQUESTED.  
27  
28

1 Dated: September 26, 2016

/s/ Timothy S. Thimesch

TIMOTHY S. THIMESCH, ESQ.

THIMESCH LAW OFFICES

Attorneys for Plaintiff PATRICIA JORDAN

4 Dated: September 26, 2016

/s/ Lisa Zeidner Marcus

LISA ZEIDNER MARCUS<sup>1</sup>

Counsel for Defendants

PRESIDIO TRUST; and THE U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION

**Proposed ORDER**

Pursuant to stipulation, it is SO ORDERED.

12 DATE: 9/27/16

  
HON. KANDIS A. WESTMORE  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> I, Lisa Zeidner Marcus, hereby attest, in accordance with the Civil L.R. 5-1(i)(3), the concurrence in the filing of this document has been obtained from the other signatory listed here.